

ERIC D. WALTHER, ESQ., Nevada Bar No. 13611
ARTHUR A. ZORIO, ESQ., Nevada Bar No. 6547
EMILY L. DYER, ESQ., Nevada Bar No. 14512
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
Telephone: 702.382.2101
Facsimile: 702.382.8135
ewalther@bhfs.com
azorio@bhfs.com
edyer@bhfs.com

*Attorneys for Plaintiff/Counter-Defendant
The AViD Group, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE AVID GROUP, LLC,

Plaintiff,

V.

ARIXA ANIMAL DIAGNOSTICS, INC.;
AVIANA HOLDINGS, INC.; and AVIANA
MOLECULAR TECHNOLOGIES, LLC.

Defendants.

ARIXA ANIMALS DIAGNOSTICS, INC.

Counterclaimant,

V.

THE AVID GROUP, LLC.

Counter-Defendant.

Case No. 2:24-cv-01470-JCM-NJK

**STIPULATION AND ORDER TO
CONFIRM DEADLINE TO AMEND
COUNTERCLAIM AND SET
DEADLINES TO RESPOND
THERETO**

(FIRST REQUEST)

Plaintiff/Counter-Defendant The AViD Group, LLC (“AViD”), by its attorneys, the law firm of Brownstein Hyatt Farber Schreck, LLP, and Defendant/Counterclaimant Arixia Animal Diagnostics, Inc. (“Arixia”), and Defendants Aviana Holdings, Inc. and Aviana Molecular Technologies, LLC (collectively, “Defendants”), by their attorneys, the law firms of Snell & Wilmer, L.L.P. and Foster Law Partners, hereby stipulate and agree as follows:

1. On August 9, 2024, AViD filed its Complaint against all Defendants. ECF No. 1.
 2. After being granted an extension to respond to the Complaint, ECF No. 14,

1 Defendants filed their Answer and Arixia filed its Counterclaim on October 31, 2024. ECF No. 16.

2 3. The current deadline for AViD to respond to the Counterclaim is November 21,
3 2024.

4 4. On November 14, 2024, counsel for Arixia contacted counsel for AViD to advise
5 that Arixia intends to amend its Counterclaim by November 21, 2024, which is the deadline for
6 Arixia to amend as a matter of course under Fed. R. Civ. P. 15(a).

7 5. Because Arixia will be amending its Counterclaim as a matter of course under Rule
8 15(a), the parties have agreed to the following deadlines, subject to the Court's approval, which
9 will allow AViD to forego the time and expense of preparing a response to the original
10 Counterclaim:

- 11 a. Arixia will file its Amended Counterclaim on or before November 21, 2024;
- 12 b. The deadline for AViD to file a pleading or motion in response to the
13 Amended Counterclaim is December 6, 2024;
- 14 c. If applicable, the deadline for Arixia to file a response in opposition to a
15 motion filed by AViD is December 20, 2024;
- 16 d. If applicable, the deadline for AViD to file a reply in support of its motion
17 is January 9, 2025.

18 6. The parties submit that good cause exists – judicial economy and the preservation
19 of the time and resources of the parties – to grant this Stipulation.

20 7. This Stipulation is submitted in good faith and not filed for an improper purpose or
21 delay.

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1 8. Based on the foregoing, the parties respectfully request that the Court grant the
 2 Stipulation and approve the deadlines outlined herein.

3 DATED this 18th day of November, 2024

4
 5 BROWNSTEIN HYATT FARBER
 SCHRECK, LLP

6 BY: /s/ Eric D. Walther
 7 ERIC D. WALTHER, ESQ.
ewalther@bhfs.com
 8 ARTHUR A. ZORIO, ESQ.
azorio@bhfs.com
 9 EMILY L. DYER, ESQ.
edyer@bhfs.com

10 *Attorneys for Plaintiff/Counter-Defendant*
 11 *The AViD Group, LLC*

FOSTER LAW PARTNERS

BY: /s/ Brian J. Foster
 BRIAN J. FOSTER, ESQ.
 (admitted pro hac vice)
brian@fosterlawpartners.com
 4402 N. 36th Street, Suite 127
 Phoenix, AZ 85018

SNELL & WILMER L.L.P.
 PATRICK G. BYRNE, ESQ.
pbyrne@swlaw.com
 ALEEM A. DHALLA, ESQ.
adhalla@swlaw.com
 1700 South Pavilion Center Drive, Suite 700
 Las Vegas, NV 89135

14 *Attorneys for Defendants/Counterclaimant*
 15 *Arixa Animal Diagnostics, Inc., Aviana*
 Holdings, Inc., and Aviana Molecular
 Technologies, LLC

17 **IT IS SO ORDERED.**

19 
 20 Nancy J. Koppe
 United States Magistrate Judge

21 Dated November 19, 2024